

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Herman VAN MELLAERT et al.

Application No.: TBA (Div of 09/176,320)

Filed: Even date herewith

For: RECOMBINANT PLANT  
EXPRESSING NON-  
COMPETITIVELY BINDING Bt  
INSECTICIDAL CRYSTAL  
PROTEINS

Group Art Unit: Unassigned

Examiner: Unassigned

**PRELIMINARY AMENDMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Prior to examination of the above-cited Application on the merits, please amend the application as follows:

**IN THE SPECIFICATION:**

In compliance with 37 C.F.R. §1.823(a), please insert the attached paper copy of the "Sequence Listing" after the last page of the above-identified application (page 67).

On page 27, third line from the bottom, after "sequence" insert --[SEQ ID NO.: 1]--; and after "of" insert --[SEQ ID NO.: 2]--.

On page 29, line 17, after "sequence" insert --[SEQ ID NO.: 3]--;  
line 25, after "sequence" insert --[SEQ ID NO.: 4]--.